

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Denise Carlon, Esquire
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Attorneys for Secured Creditor
Bayview Loan Servicing, LLC as servicer for M&T Bank

In Re:
Joseph J. Guy,

Debtor.



Order Filed on February 7, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 17-20702 ABA

Adv. No.:


Hearing Date: 1/28/2020 @ 10:00 a.m.

Judge: Andrew B. Altenburg, Jr.

**ORDER CURING POST-PETITION ARREARS & RESOLVING MOTION FOR
RELIEF FROM STAY**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: February 7, 2020



Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

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Debtor: Joseph J. Guy

Case No: 17-20702 ABA

Caption of Order: ORDER CURING POST-PETITION ARREARS AND RESOLVING MOTION FOR RELIEF FROM STAY

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, Bayview Loan Servicing, LLC as servicer for M&T Bank, Denise Carlon appearing, upon a motion to vacate the automatic stay as to real property located at 16 Holly Glen Drive, Pitman, NJ, 08071, and it appearing that notice of said motion was properly served upon all parties concerned, and this Court having considered the representations of attorneys for Secured Creditor and Eric Clayman, Esquire, attorney for Debtor, and for good cause having been shown

It is **ORDERED, ADJUDGED and DECREED** that as of January 28, 2020, Debtor is due for the payments due June 2019 through January 2020 for a total post-petition default of \$8,835.47 (5 @ \$1,197.00, 3 @ \$1,219.39, \$807.70 less suspense); and

It is further **ORDERED, ADJUDGED and DECREED** that the debtor is to sell the property by August 31, 2020; and

It is further **ORDERED, ADJUDGED and DECREED** that the arrearages through and including January 2020 are to be added to the plan and the trustee shall not pay those arrearages until September 2020; and

It is further **ORDERED, ADJUDGED and DECREED** that if the sale is not completed by August 31, 2020, Debtor shall modify the plan to pay the post-petition arrearages; and

It is further **ORDERED, ADJUDGED and DECREED** that regular mortgage payments outside the plan while the sale is pending beginning February 1, 2020, directly to Secured Creditor, M&T Bank, Payment Processing, PO Box 1288, Buffalo, NY 14240 (Note: the amount of the monthly mortgage payment is subject to change according to the terms of the note and mortgage); and

It is further **ORDERED, ADJUDGED and DECREED** that for the Duration of Debtor's Chapter 13 bankruptcy proceeding, if any of the cure payments or regular monthly mortgage payments are not made within thirty (30) days of the date said payment is due or the Debtor does not sell the property by August 31, 2020 or fails to file a modified plan to address the post-petition arrearages by September 1, 2020, Secured Creditor may obtain an Order Vacating Automatic Stay as to Real Property by submitting a Certification of Default to the Court indicating such payment is more than thirty days late, and Debtors shall have fourteen days to respond; and

It is further **ORDERED, ADJUDGED and DECREED** that a copy of any such application, supporting certification, and proposed Order must be served on the Trustee, Debtor, and Debtor's counsel at the time of submission to the Court; and

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It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor is hereby awarded reimbursement of fees and costs in the sum of \$350.00 for attorneys' fees and \$181.00 for filing fees, totaling \$531.00, which is to be paid through Debtors' Chapter 13 plan;

It is further **ORDERED, ADJUDGED and DECREED** that the Secured Creditor's Motion for Relief is hereby resolved.

Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New Jersey

In re:
Joseph J. Guy
Debtor

Case No. 17-20702-ABA
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-1

User: admin
Form ID: pdf903

Page 1 of 1
Total Noticed: 1

Date Rcvd: Feb 07, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 09, 2020.

db +Joseph J. Guy, 16 Holly Glen Drive, Pitman, NJ 08071-1270

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 09, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 7, 2020 at the address(es) listed below:

Denise E. Carlon on behalf of Creditor M&T BANK dcarlon@kmlawgroup.com,
bkgroup@kmlawgroup.com
Eric Clayman on behalf of Debtor Joseph J. Guy jenkins.clayman@verizon.net,
connor@jenkinsclayman.com
Gary D. Thompson on behalf of Creditor Holly Glen at Pitman Condominium Association, Inc.
gdt1951@comcast.net
Isabel C. Balboa ecfmil@standingtrustee.com, summarymail@standingtrustee.com
Isabel C. Balboa on behalf of Trustee Isabel C. Balboa ecfmil@standingtrustee.com,
summarymail@standingtrustee.com
Melissa N. Licker on behalf of Creditor Bayview Loan Servicing, LLC NJ_ECF_Notices@mccalla.com
Rebecca Ann Solarz on behalf of Creditor M&T BANK rsolarz@kmlawgroup.com
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov

TOTAL: 8